

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-30 are pending in the present application. Claims 1-11 and 15-25 are amended by the present amendment. Support for the amended claims can be found in the originally filed specification. No new matter is presented.

In the Office Action, Claims 1-10, 12-24 and 26-30 are rejected under 35 U.S.C. § 102(b) as anticipated by Lieshout et al. (U.S. 2002/0094833, herein Lieshout); and Claims 11 and 25 are objected to as dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Applicant appreciatively acknowledges the indication of allowable subject matter. However, as independent Claims 1 and 15 are believed to patentably define over the applied reference, Claims 11 and 25 are presently maintained in dependent form.

The Office Action rejects Claims 1-10, 12-24 and 26-30 under 35 U.S.C. § 102(b) as anticipated by Lieshout. Applicant respectfully traverses this rejection, as independent Claims 1 and 15 recite novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 1, for example, recites a method for power control in a communication system employing a Downlink Shared Channel (DSCH) and a Forward Access Channel (FACH), comprising:

applying power control on the Downlink Shared Channel;  
*deriving power control information from the power control applied to the Downlink Shared Channel;* and  
*applying to the Forward Access Channel* the derived power control information from the power control applied to the Downlink Shared Channel in order to produce *power control on the Forward Access Channel*.

Independent Claim 15, while directed to an alternative embodiment, recites similar features. Accordingly, the remarks and arguments presented below are applicable to each of independent Claims 1 and 15.

As noted above, independent Claims 1 and 15 are clarified to specify that the power control information is derived from the power control applied to the Downlink Shared Channel and applied to the Forward Access Channel.

Applicant respectfully submits that Lieshout fails to disclose the above-noted claimed feature.

Lieshout describes a technique in which various “factors” are used to regulate the transmission power of various downlink common transport channels for which power control is not conventionally used. As described at paragraph [0014], these factors include measurements made by the user equipment (UE) such as received signal strength, signal-to-interference ratio, error rates and so on.

Lieshout, however, does not disclose that these factors are derived from power control applied to the DSCH. Moreover, Lieshout fails to disclose that information relating to power control applied to a first channel (i.e. the DSCH) could be used to apply power control to a second channel (i.e. the FACH), whatsoever.

For example, in paragraph [0010] of Lieshout the DSCH is classified as a “shared channel” and in paragraph [0013] Lieshout describes that for common transport channels and shared transport channels there is “no need or advantage” in regulating the downlink power of these channels. It appears the only other reference in Lieshout to the DSCH is made in paragraph [0030], which describes that the described technique can be applied to the DSCH. In other words, at most, the transmission power of the DSCH can be regulated in accordance with the “factors” discussed above but there is no teaching that information can be derived

from the power control applied to the DSCH and used for power control of another channel, as claimed.

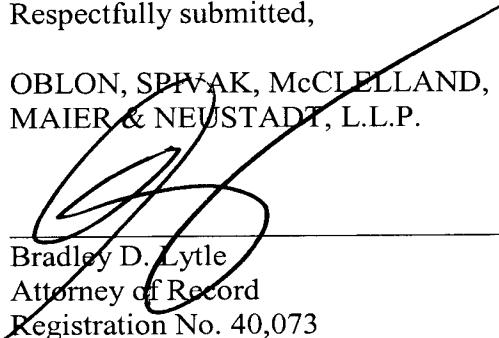
Accordingly, Lieshout provides no indication to the skilled person that it is either possible or desirable to use the power control applied to the DSCH to derive power control information to be applied to a different channel, and there is certainly no teaching or suggestion that power control information can be derived from the power control applied to the DSCH and that this power control information is used to apply power control to the FACH, as recited in independent Claims 1 and 15.

Accordingly, for at least the reasons discussed above, Applicants respectfully request that the rejection of Claims 1 and 15 (and the claims that depend therefrom) under 35 U.S.C. § 102 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-30 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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